



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Keith D. ALLEN

Serial No.: 10/005,211

Filed: December 4, 2001

For: Transgenic Mice Containing  
Polycystin-Related Gene Disruptions

Docket No.: R-325

Group Art Unit: 1632

Examiner: Unassigned

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JUL 26 2002

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RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID  
SEQUENCE DISCLOSURES

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed June 19, 2002 regarding the above-captioned application, Applicants submit herewith:

1. A Preliminary Amendment under 37 C.F.R. §1.115 with an amendment to Figure 3 of the above-referenced application;
2. A copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed June 19, 2002.

The Sequence Listing submitted with the application on December 4, 2001, in computer readable format (CRF) and paper, contains all sequences disclosed in the application. Therefore, Applicants believe that a substitute Sequence Listing in CRF is not required. Moreover, the content of the paper and computer readable copies of the Sequence Listing submitted on December 5, 2001 are identical. The sequence listing submitted in this application merely presents nucleotide and/or amino acid sequences that appeared in the application as originally filed in accordance with 37 C.F.R. §1.821-1.825, thus no new matter has been introduced into the application.

Accordingly, Applicants respectfully request the entry of the paper and computer readable forms of the sequence listing into the application.

Date: July 16, 2002

Respectfully submitted,

DELTAGEN, INC.  
740 Bay Road  
Redwood City, CA 94063  
Tel. (650) 569-5100  
Fax (650) 569-5280

  
Mariette A. Lapiz, Reg. No. 44,202

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8**

I hereby certify that this correspondence and its listed enclosures is being deposited with the United States Postal Service as First Class Mail, postage paid, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, Attn: OIPE on July 16, 2002

Name: **Deborah A. Mojarro**

Signed: *Deborah A. Mojarro*

Date: *July 16, 2002*

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COMMISSIONER FOR  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20503  
WWW.USPTO.GOV

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/005,211	12/04/2001	Keith D. Allen	R-325

Deltagen, Inc.  
740 Bay Road  
Redwood City, CA 94063

CONFIRMATION NO. 5578

FORMALITIES LETTER



\*OC000000008308753\*

Date Mailed: 06/19/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821 - 1.825. The application must be in sequence compliance before examination on the merits.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extension of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to: The Office Of Initial Patent Examination.

See the attachment.

**Applicant Must Provide as part of the response:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600

- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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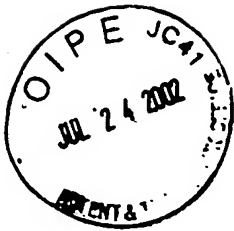
*A copy of this notice MUST be returned with the reply.*

K Little

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 – COPY TO BE RETURNED WITH RESPONSE



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**APPLICATION 10/005211  
DOES NOT COMPLY WITH THE  
SEQUENCE RULES BECAUSE:**

	CRF, paper copy of sequence listing, and statement that both are same are missing
	CRF contains error(s) according to STIC Report
	CRF damaged or unreadable according to STIC Report
	CRF transferred from prior application is not compliant
X	Other: Figure 3 contains nucleic acid sequences that are not described in the sequence listing or CRF

## **OIPE FORMALITIES REVIEW**

THIS APPLICATION WAS RETURNED TO OIPE FROM TECH CENTER 1600.

THERE ARE SEQUENCES IN THE DRAWINGS OR SPECIFICATION THAT ARE NOT IN THE CRF.

SINCE PALM PRE EXAM DOES NOT CURRENTLY HAVE THESE PROBLEMS IN THE SYSTEM, A MODIFIED LETTER WAS GENERATED TO SEND TO THE APPLICANT.

IN ORDER TO PRINT A SEQUENCE DISCLOSURE HEADER, THE FOLLOWING PROBLEM WAS SELECTED. THE CASE DOES NOT HAVE THIS PROBLEM.

***SEQUENCES APPEARING IN THE SPEC AND OR DRAWINGS MUST BE IDENTIFIED BY SEQUENCE NUMBERS***

THIS PROBLEM IS SELECTED TO "FOOL THE SYSTEM".

WHEN A NEW CRF IS RECEIVED AND IF THE APPLICATION IS PERFECTED, YOU MUST INDICATE THAT THIS PROBLEM IS RESOLVED IN THE PALM PRE EXAM SYSTEM.